

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

ORDER NO. 98-535

DN 98-359-W

JULY 10, 1998

IN RE: Mountain Bay Estates Utility Company, Inc.)
(or Utility Management Services, Inc.) Concerning) EMERGENCY
Water Service to Foxwood Hill Property Owners) ORDER
Association)

✓ RE

This matter comes before this Commissioner on the Complaint of Foxwood Hill Property Owners Association ("Foxwood"). Foxwood requests an Emergency Order preventing its water service provider, Mountain Bay Estates Utility Company, Inc. (or Utility Management Services, Inc) (hereafter referred to as "Mountain Bay") from terminating water service to Foxwood's swimming pool on July 10, 1998.

Counsel for Foxwood has provided the Commission Staff with a letter from Mountain Bay outlining the proposed termination. Additionally, Counsel has provided a letter outlining Foxwood's position in this matter.

It appears to this Commissioner that there are questions which need to be answered about this situation. 26 S.C. Code Regs. 103-886 (Supp. 1997) provides that, when it appears to the Commission Staff that a utility has or is planning to disconnect service to customers in violation of the Commission Rules and Regulations and under circumstances which prevent the full Commission from meeting to address the issue, upon the request of the Commission Staff, R.103-886 allows an Order to be issued to

maintain the status quo with customers until further Order of the Commission.

Thereafter, at the next scheduled Commission meeting, with proper legal notice, the full Commission shall consider the Order of the single Commissioner and take such legal action on the single Commissioner's Order, as the Commission deems appropriate.

The Commission Staff informs this Commissioner, that based upon the documentation provided, there appears to exist questions regarding the disruption of water service to Foxwood's swimming pool, potentially in violation of the Commission's Rules and Regulations. At this time, the full Commission may not meet on this matter until at least July 14, 1998. Therefore, upon the request of the Commission Staff, I believe that it is appropriate to hereby restrain and/or enjoin Utility Management Services (Mountain Bay) from disconnecting the water service to Foxwood's swimming pool, and to maintain the status quo, until the full Commission may consider this matter.

IT IS THEREFORE ORDERED THAT:

1. Mountain Bay Estates Utility Company, Inc. (or Utility Management Services, Inc.) is hereby restrained and/or enjoined from disconnecting the water service to Foxwood's swimming pool until further Order of the Commission.

JULY 10, 1998

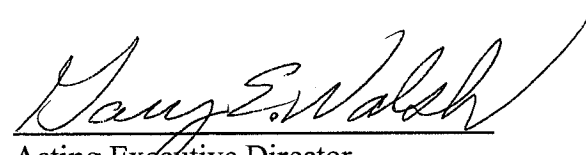
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2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSISONER:


COMMISSIONER

ATTEST:


Acting Executive Director

(SEAL)